

## ORDINANCE NO. 17

AN ORDINANCE PROVIDING FOR THE PROCEDURE, ORDERING AND LAYING DOWN SIDEWALKS AND LEVYING, ASSESSING AND COLLECTING TAXES FOR THE SAME.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF HUNTER:

SECTION 1. Whenever a petition signed by a majority of the residence property owners affecting on any street or avenue of city shall be presented to the city council asking that a sidewalk or sidewalks be constructed along such street or avenue on which said property abuts in the said city of Hunter,

Said councilmen shall order such sidewalk or sidewalks to be constructed as hereinafter provided.

### NOTICE TO LET OWNERS

SECTION 2. That whenever a petition shall be presented to the city council of said city, as provided for in section 1 of this ordinance, and shall by resolution, declare it necessary to construct sidewalks along the streets and avenues mentioned in said petition and shall order the same to be constructed, the council shall petition, and shall order the same to be given to the owner or owners of the lot or lots abutting on the sidewalks to be constructed, or to their agent or agents, notifying each owner or owners or their agent or agents that unless such sidewalks be constructed along each lot or lots within sixty days from the service of such notice in the manner and of the material required by the ordinance of said city, the council of said city will proceed to have such sidewalk constructed, and assess the costs of such construction together with the penalty given by law, against the lot or lots abutting on such sidewalk and collect the same as other taxes.

SECTION 3. That all owners of lots, or their agents, abutting on any sidewalk to be constructed in said city who may wish to construct such sidewalk as provided for in section 2, shall file a notice with the city clerk, within ten days after the service of the notice hereinbefore mentioned, setting forth his or her intention to construct such sidewalk in accordance with the ordinances of the city, specifying the lot or lots, block and street along which they intend to construct such sidewalks, and all person so filing their intention within the time required shall have such sidewalk completed within sixty days from the time of filing such notice with the clerk of said city.

### CLERK TO ADVERTISE FOR BIDS

SECTION 4. The city clerk, immediately after the expiration of the time in which such notice of intention to construct such sidewalk, as specified in section 3 of this ordinance, should have been filed in his office, shall advertise for bids for furnishing material and construction of such sidewalk in the manner and of material provided by ordinance, of all sidewalks that the owners of their agents have failed to give notice of their intention to construct as provided in section 3

therein. Such advertisement shall be published for two weeks in the official paper of said city, and give notice and such proposals will be received by the city council of said city on or before a day to be therein named, or notice may be published by posting written public places within the official limits of said city, for ten days.

## AWARDING CONTRACTS

SECTION 5. The council of said city will open all bids and award the contract or contracts to the lowest bidder or bidders either for the furnishing of material or the construction of such sidewalks, as the council shall deem most advantageous to said city. Taking from such contractors good and sufficient guarantees for the faithful performance of their contracts. Said city council, regarding all proposals be too high, or the bidders irresponsible may object all bids and again advertise for other proposals or bids.

## LEVY OF TAX

SECTION 6. That when any sidewalk shall have been completed and accepted by the city council, under contract from the council of said city, and the costs of the same shall have not been paid by the owner of the lot or lot abutting on such sidewalk, on or before the first day of July next ensuing, the council of said city shall, at the time of making the annual tax levy, determine the amount due on each lot, which shall be in proportion to the number of feet of each lot abutting on such sidewalk or sidewalks, and levy a tax on such lot or lots, therefore, and the clerk of said city shall certify such levy of taxes to the county clerk of Mitchell County, Kansas to be placed on the tax roll and collected as other taxes, together with the penalty by law.

## FAILURE TO COMPLETE

SECTION 7. That immediately upon the expiration of the time in which persons giving notice of their intention to construct sidewalks, as specified in section 3 of this ordinance, the city clerk shall advertise for proposals for the construction of all sidewalks that shall not be completed as required by section 3 of this ordinance, and contracts shall be awarded for the construction of such sidewalk, and levy of a tax therefor ordered in the same manner as by sections 4, 5, and 6 of this ordinances.

## GRADE

SECTION 8. Whenever any sidewalks are, or shall be ordered in the city of Hunter, upon any street or avenue, if a grade has been established for such street or avenue, such sidewalk shall conform to such grade and be laid and constructed with the surface thereof six inches above the grade of the center line of the street or avenue.

SECTION 9. It is hereby ordained by the Mayor and Councilmen of the City of Hunter, that all sidewalks that are laid down in the said city shall either of Cement or Brick of the width of 12

feet in the business parts of the city (unless ordered changed by the City Council), and five feet in the residence parts of the city.

#### CONSTRUCTION OF CEMENT

SECTION 10. The base shall be made 3 ½ inches thick, of cement, sand and same, mixed, 1 part cement, 2 parts sand, and 3 parts rock or gravel. When all sand it shall be 1 part cement and 5 parts sand, covered with a topping of 1 part cement and 2 parts clear sand, all laid in a standard workmanlike manner. Provided that if made of brick they shall be laid of qualified brick in a good workmanlike manner. The provisions of this section shall apply to sidewalks.

SECTION 11. This ordinance shall take effect and be in force from and after its publication in the official city paper.

Dated this 7th day of April, 1919.

APPROVED: A. Wick, Mayor

ATTEST: E. C. Lemon, City Clerk

